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PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE SITUATION CONCERNING WESTERN SAHARA

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1185 (1998) of 20 July 1998, by which the Council requested me to report to it every 30 days on the progress of the implementation of the Settlement Plan for Western Sahara (S/21360 and S/22464 and Corr.1) and the agreements reached between the parties, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y del Río de Oro (Frente POLISARIO), under the auspices of my Personal Envoy, Mr. James A. Baker III (S/1997/742, annexes I-III). By that resolution, the Security Council also extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 21 September 1998. The present report covers developments since my previous report to the Council dated 10 July (S/1998/634).

II. DEVELOPMENTS DURING THE REPORTING PERIOD

2. During the reporting period, my Special Representative, Mr. Charles F. Dunbar, continued his consultations on various issues related to the implementation of the Settlement Plan. He met with His Majesty King Hassan II of Morocco at Rabat on 10 July, with the President of Mauritania, His Excellency Mr. Maaouya Ould Sid'Ahmed Taya, and the Minister of the Interior, Post and Telecommunications at Nouakchott on 28 July, and with the Secretary-General of the Frente POLISARIO, Mr. Mohamed Abdelaziz, at Tindouf on 7 August.

A. Identification process

3. During July 1998, MINURSO identified a total of 9,054 applicants to the referendum. As at 16 August 1998, 115,402 applicants had been convoked for identification since the resumption of the process in December 1997. Of those, 85,816 came before the Identification Commission to be interviewed. With the 60,112 applicants who had been identified during the initial phase of the process (August 1994-December 1995), this brings to 145,928 the total number of

persons identified thus far. Identification operations were completed in July at Sidi Kacem and El Kelaa des Sraghna, and began at Meknes and Rabat.

4. The Chairman of the Identification Commission, Mr. Robin Kinloch, continued to meet regularly with the Moroccan and Frente POLISARIO Coordinators with MINURSO. The identification programme for August was agreed to by both parties. Arrangements for the convocation of several hundred applicants resident abroad are being discussed with the Moroccan Coordinator. With this exception and that of the H41, H61 and J51/52 tribal groupings, all applicants will have been convoked for identification by the end of August 1998.

5. The Government of Morocco continued to refuse the identification of applicants who were originally registered in the refugee camps in the Tindouf area but reported to the two identification centres in Mauritania. To date, this has affected over 70 applicants, who appeared at those centres for identification.

6. Both parties maintained their positions with regard to the outstanding issue of the identification of the H41, H61 and J51/52 tribal groupings, including the proposal in my report of 15 January 1998 (S/1998/35) that MINURSO complete, as a first step, the identification of the 4,000 individuals who had presented themselves on the days of convocation of members of those three groupings who are listed in the 1974 Spanish census, and of their immediate families. Morocco also maintained that, until the overall issue of the identification of all applicants from groupings H41, H61 and J51/52 is resolved, it would not participate in the identification of members of those three groupings who are listed in the 1974 Spanish census, and of their immediate families.

B. Military aspects

7. As at 16 August 1998, the military component of MINURSO stood at 461 observers and other military personnel (see annex). These include the engineering support and demining units from Pakistan and Sweden, deployed in accordance with Security Council resolution 1148 (1998) of 26 January 1998. Under the command of Major-General Bernd S. Lubenik (Austria), the military component of the Mission continues to monitor the ceasefire between the Royal Moroccan Army and the Frente POLISARIO forces, which came into effect on 6 September 1991. The MINURSO area of responsibility remains calm, and there have been no indications that either side intends to resume hostilities.

8. During the reporting period, the problem of control and handling of the weapons, ammunition, and explosives of the MINURSO engineering support and demining units was resolved by the Force Commander, following intensive consultations with the Moroccan military authorities. Accordingly, a military agreement between MINURSO and Morocco was signed on 23 July, which provides guidelines for the handling of weapons, ammunition and explosives of those MINURSO units deployed west of the defensive sand-wall ("berm").

9. The above-mentioned agreement made it possible for the weapons, ammunition and explosives of the Swedish demining unit to be dispatched to Laayoune on

29 July, followed on 1 August by the main elements of the Pakistani contingent, along with the balance of its weapons, ammunition and equipment. On both occasions, with the cooperation of the Moroccan authorities, the personnel, weapons and ordnance were processed smoothly at the airport. At a coordination meeting held at Agadir on 7 August to facilitate the Mission's operational activities, the Moroccan military authorities also assured MINURSO of their full cooperation and support.

10. Notwithstanding the above, MINURSO's communications equipment has been held up for the past two months at Laayoune airport, in contradiction of the privileges and immunities traditionally granted by host countries to all United Nations peacekeeping operations. Consultations between MINURSO and the Moroccan authorities to resolve this issue are continuing.

11. In the meantime, the MINURSO engineering support and demining units have been conducting reconnaissance and survey missions, in preparation for their construction and demining activities at specific sites. However, owing to the late resolution of the issue of carriage of weapons and custody of ammunition and equipment, as well as the pending clearance of the necessary communications equipment, the Swedish contingent will be unable to start its actual demining activities on time, and is therefore unlikely to complete its tasks by early October 1998, as initially planned. Subject to the decision of the Government of Sweden and the approval of the Security Council, it may be necessary to extend the stay of that unit or to make alternative arrangements in due course.

12. During the reporting period, the Secretariat forwarded its comments to the Algerian and Mauritanian authorities on their respective responses to the draft status-of-forces agreement on MINURSO. It is hoped that the agreements with these two Governments will be concluded soon. However, Morocco's response to the draft agreement is still awaited, despite repeated assurances that it would be promptly provided. The signature of these agreements would greatly facilitate the conduct of MINURSO's mandated operational activities.

C. Civilian police aspects

13. The civilian police component of MINURSO has an authorized strength of 81 police officers. With the arrival of an officer from Pakistan, this component is now complete.

14. The MINURSO civilian police component continues to assist the Identification Commission at all active identification centres. The Civilian Police Commissioner, Chief Superintendent Peter Miller (Canada), has been visiting all civilian police posts regularly. The component is collaborating with the Office of the United Nations High Commissioner for Refugees (UNHCR) in the planning process for the repatriation of refugees. It is also participating in an internal MINURSO working group on legal and administrative issues relating to the transitional period.

D. Preparatory work for the repatriation of Saharan refugees

15. During the reporting period, UNHCR continued with its preparatory work for the repatriation of Saharan refugees, as provided for under the Settlement Plan. Pre-registration of refugees and their immediate family members continued in northern Mauritania and in the Tindouf area of Algeria. In the towns of Zouerate and Nouadhibou in Mauritania, 22,000 individuals have been registered. It is expected that the exercise will be completed in Mauritania by the end of August 1998. In the Tindouf area, 31,000 refugees have been registered to date, and work has been completed in the Dakhla and Awsard refugee camps. Pre-registration in the Smara and El Aiun camps is expected to be completed by the end of October 1998. UNHCR continued with other preparatory activities, including water and infrastructure development, logistics planning, information-sharing, assessment of refugee needs, and mine awareness.

16. Discussion continued with the Government of Morocco on the formalization of the presence of UNHCR and its preparatory work in the Territory. Following a meeting held at Geneva in late July between UNHCR and a Moroccan delegation, the High Commissioner wrote to the Minister for Foreign Affairs of Morocco expressing her appreciation for his Government's decision to formalize the presence of UNHCR and to allow it free access in the Territory. UNHCR is awaiting confirmation from the Moroccan Government to undertake a joint mission to the Territory which would give effect to the above-mentioned decision. UNHCR hopes to be able to undertake its activities relating to confidence-building and infrastructure development soon. A meeting was held with Frente POLISARIO officials, at which the objectives and strategy of UNHCR were again discussed, including its mandate responsibilities for the refugees in the Tindouf camps.

E. Other aspects

17. The Independent Jurist for Western Sahara, Mr. Emmanuel Roucounas, is scheduled to visit the mission area in late August, in order to follow up with the Moroccan authorities and the Frente POLISARIO matters concerning presumed political prisoners and detainees previously raised with the two parties. The Independent Jurist will also consult with my Special Representative and other MINURSO staff on issues pertaining to his mandate.

18. Further to concerns raised in my last report (S/1998/634) regarding the use of MINURSO aircraft by visiting diplomats and journalists, the Permanent Mission of Morocco to the United Nations issued a press statement indicating that Morocco was examining practical arrangements which could address its own concerns and, at the same time, take into account the requirements of MINURSO.

III. OBSERVATIONS

19. There are excellent prospects for completing, in August 1998, the identification of applicants from all tribal groups and sub-factions, with the exception of groupings H41, H61 and J51/52. As regards the latter issue, my Special Representative has not received from Morocco and the Frente POLISARIO

any practical suggestions which would allow for a reconciliation of their points of view.

20. In my previous report, I indicated that I had asked my Personal Envoy to consider engaging the parties in seeking a solution to the problem of the three tribal groupings and to other issues bearing upon the implementation of the Settlement Plan. Mr. Baker is considering contacts with the parties in early September 1998, following which he will assess the implementability of the Plan in its present form and examine whether there are any adjustments to the Plan, acceptable to the Parties, which would significantly improve the chances of implementing it. If there are not, he will advise me on possible avenues to be pursued. Such an assessment will influence my conclusions as to the continued viability of the mandate of MINURSO and the related recommendations which I expect to be in a position to make to the Security Council in mid-September 1998, before the expiration of the mandate of MINURSO on 21 September.

21. Meanwhile, I welcome the agreement of the Moroccan authorities to formalize the presence of UNHCR. I urge them to take concrete action to enable UNHCR to have free access to and movement in the Territory and to engage fully in its preparatory work for the repatriation of Saharan refugees eligible to vote, and their immediate families.

22. I also look forward to receiving the response from the Moroccan authorities to the proposed status-of-forces agreement, and to the early signature of all three agreements with Algeria, Mauritania and Morocco.

Annex

United Nations Mission for the Referendum in Western Sahara: contributions as at 16 August 1998

	Military observers	Staff officers	Troops	Civilian police observers	Total
Argentina	1	-	-	-	1
Austria	5	-	-	-	5*
Bangladesh	6	-	-	-	6
Canada	-	-	-	8	8
China	16	-	-	-	16
Egypt	19	-	-	2	21
El Salvador	2	-	-	-	2
France	25	-	-	-	25
Ghana	6	-	7	10	23
Greece	1	-	-	-	1
Guinea	3	-	-	-	3
Honduras	12	-	-	-	12
Ireland	8	-	-	-	8
India	-	-	-	10	10
Italy	5	-	-	-	5
Kenya	8	-	-	-	8
Malaysia	13	-	-	10	23
Nigeria	5	-	-	10	15
Norway	-	-	-	2	2
Pakistan	5	6	150	8	169
Poland	3	-	-	-	3
Portugal	4	-	-	10	14
Republic of Korea	-	-	20	-	20
Russian Federation	25	-	-	-	25
Sweden	-	4	71	10	85**
Uruguay	13	-	-	-	13
United States of America	15	-	-	-	15
Venezuela	3	-	-	-	3
Total	203	10	248	80	541

* In addition to the Force Commander.

** Including two national support elements.